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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3905 OF 2006

Murlidhar Kondiba Nanaware. .. Petitioner.

vs.

Sanjay Murlidhar Bhilare

& Ors. . .. Respondents.

Mr. Prabhanjan Gujar i/by R.A. Thorar
for petitioner.

Mr. Vishwanath Talkute for Respondent Nos.1 to 4.

CORAM : A.P. DESHPANDE, J.

DATE : 20th December, 2006.

P.C.

. By this petition the petitioner is challenging an order passed by the first appellate court rejecting an application moved for seeking amendment of the written statement. The learned counsel for the respondents submits that the appeal itself is part heard and hence at this belated stage it would not be in the fitness of things to consider the application for amendment.

2. Perused the order. It does not suffer from any patent illegality requiring interference in

exercise of writ² jurisdiction. However, all point raised in this petition are left open to be agitated in a second appeal. The writ petition summarily rejected.

(A.P. Deshpande, J.)